

**UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**LAKELAND BANK**

**Plaintiff,**

**v.**

**SUN-RE CHEESE CORP.**

**Defendant.**

**CASE NO. 4:22-cv-01076-WIA**

**REQUEST TO ENTER DEFAULT**

*TO THE CLERK OF THE ABOVE NAMED COURT:*

Pursuant to Federal Rule of Civil Procedure 55(a), please enter upon the docket the default of the Defendant in favor of Plaintiff, Lakeland Bank, and against the Defendant Sun-Re Cheese Corp., in the above entitled action for failure to plead or otherwise defend as provided by the rules of civil practice. An affidavit in support of this request is attached hereto.

BERGER LAW GROUP, PC

By: /s/: Phillip D. Berger  
PHILLIP D. BERGER, ESQUIRE

Dated: September 13, 2022

**UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**LAKELAND BANK**

**Plaintiff,**

**v.**

**SUN-RE CHEESE CORP.**

**Defendant.**

**CASE NO. 4:22-cv-01076-WIA**

**AFFIDAVIT OF PHILLIP D. BERGER IN SUPPORT  
OF REQUEST FOR DEFAULT**

Phillip D. Berger, Esquire, hereby declares under penalty of perjury pursuant to 28 U.S.C. § 1746(2) that the following statements are true and correct:

1. I am Phillip D. Berger, Esquire, a partner in the law firm of Berger Law Group, P.C. Attorneys for Plaintiff in the above entitled action.

2. I hereby make application to the Clerk of this Court for entry of default as to defendant Sun-Re Cheese Corp., pursuant to Rule 55(a), Federal Rules of Civil Procedure, and in support of this application do show that:

- A. The Complaint in this matter was filed by Lakeland Bank on July 1, 2022 in the Northumberland County Court of Common Pleas at Docket No. CV-22-990.
- B. The complaint in this action was served upon the Defendant on July 7, 2022.
- C. This matter was removed to this Court by Defendant Sun-Re Cheese Corp. on July 8, 2022, and the Defendant attached a copy of the filed Complaint to its Notice of Removal, evidencing that the Defendant received the Complaint.
- D. The time as provided in Rule 12(a), Federal Rules of Civil Procedure within which the defendant may answer or otherwise move as to the said complaint has expired, has not been extended or enlarged, and no defendant named herein has answered or otherwise moved.
- E. Upon Plaintiff's information and belief, the defendant, being a corporation with its principal place of business in Northumberland County, Pennsylvania, is neither an infant nor an incompetent person requiring special service in accordance with Rule 4(g), Federal Rules of Civil Procedure, and is not serving with the armed forces of the United States entitled to the protection of 50 U.S.C. App. Section 520.
- F. Copies of this Affidavit and the Request for Default have this date been served

upon the defendant by regular mail, postage prepaid.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

BERGER LAW GROUP, P.C.

Dated: 9/13/22

By: /s/: Phillip D. Berger, Esq.  
PHILLIP D. BERGER, ESQUIRE  
919 Conestoga Road, Building 3, STE 114  
Rosemont, PA 19010  
(610) 668-0800  
PA ID #58942  
*Attorneys for Plaintiff Lakeland Bank*

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**CERTIFICATE OF SERVICE**

I, Phillip D. Berger, Esquire, do hereby certify that on September 13, 2022, I caused a true and correct copy of the foregoing Request for Default to be filed electronically.

Notice of this filing will be sent to the parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

This filing has also been sent via first-class mail, postage prepaid as follows:

Timothy A. Bowers, Esquire  
Best Law Offices, LLC  
20 North Front Street  
PO Box 88  
Sunbury, PA 17801

Dated: 9/13/22

By: BERGER LAW GROUP, P.C.  
/s/: Phillip D. Berger, Esq.  
PHILLIP D. BERGER, ESQUIRE  
919 Conestoga Road, Building 3, STE 114  
Rosemont, PA 19010  
(610) 668-0800  
PA ID #58942  
*Attorneys for Plaintiff Lakeland Bank*